## UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK

IN RE:

Case No.: 8-10-74318

MADO BDODSKV a

**RULE 1009-1 AFFIDAVIT** 

MARC BRODSKY and ILENE BRODSKY

Debtors.

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STATE OF NEW YORK)

) ss.:

COUNTY OF NASSAU)

BARRY M. LASKY, being duly sworn, deposes and says:

- 1. This is a Rule 1009-1 Affidavit.
- 2. We have amended the Means Test, specifically line 28 which we have included for \$451.80 and line 29 which we have included for \$107.00.
- 3. The Debtors are entitled to take a deduction for necessary expenses for education on line 34 of the Means Test in the sum of \$198.00. Proof of such deductions are attached. The deductions are \$123.00 per month for a debit charge for American College and \$75.00 per month for an electronic payment for IT2000. The payments are reflected on the attached. There is no copy of any check for the monthly payment for American College.
- 4. The Debtors refinanced their mortgage on October 25, 2006. According to the Settlement Statement prepared by lender, JP Morgan Chase Bank, N.A., Counsel Frederick Giachetti, Esq., the sum of \$18,653.00 was disbursed. Five checks were issued as follows:

(a)	Bank of America	\$5,288.00
(b)	Bank of America	\$4,130.00

(c) Bank of America \$3,729.00

(d) American Express \$2,858.00

(e) American Express

\$2,678.00

Total

\$18,653.00

A copy of the Settlement Statement issued to Ilene Brodsky on October 25, 2006 is attached. Copies of the checks cannot be secured from the lender or counsel, as they are more than four (4) years old. The Settlement Statement accurately reflects the disposition of the proceeds of the loan. None of the funds were received by the Debtors and all of the funds went towards the Debtors' outstanding obligations.

- 5. We will serve a copy of this Affidavit upon the Office of the United States Trustee, MICHAEL MACCO, ESQ., the Bankruptcy Trustee, and the Clerk of the Court.
- 6. This Affidavit is made pursuant to Rule 1009-1 of the Local Bankruptcy Rules of the United States Bankruptcy Court, Eastern District of New York.

BARRY M. LASKY, ESQ

Sworn to before me this 17<sup>th</sup> day of November, 2019.

NOTARY PUBLIC

Scott L. Steinberg Notary Public, State of New York

No.: 4962953

Qualified in Nassau County Commission Expires: 2/26/14